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9 Attorneys for Defendant
10 ETHICON, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

14 BETTY CARLING, et al.,

15 Plaintiffs,

16 v.

17 AMERICAN MEDICAL SYSTEMS,
18 INC., C.R. BARD, INC., BOSTON
SCIENTIFIC CORPORATION,
19 ETHICON, INC., COLOPLAST
CORPORATION and DOES 1-500,
20 inclusive,

21 Defendants.

Case No. 3:13-CV-05792-RS

**STIPULATION AND [PROPOSED]
ORDER GRANTING DEFENDANT'S
STIPULATED MOTION TO STAY ALL
PROCEEDINGS PENDING A DECISION
TO TRANSFER TO MDL NO. 2325, *IN RE
AMERICAN MEDICAL SYSTEMS, INC.,
PELVIC REPAIR SYSTEM PRODUCTS
LITIGATION***

Date: January 30, 2014

Time: 1:30 p.m.

Judge: Richard Seeborg

Dept: Courtroom 3, 17th Floor

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23 WHEREAS, Plaintiffs originally filed this action against Defendants American Medical
24 Systems, Inc. (“AMS”), C.R. Bard, Inc., Boston Scientific Corporation, Ethicon, Inc., and
25 Coloplast Corporation (collectively “Defendants”) in the Superior Court of the State of
26 California for the County of Alameda, Case No. RG13687551.

27 WHEREAS, on December 13, 2013, with the consent of all properly joined and served
28 defendants, Defendant AMS removed this case to the United States District Court for the

STIPULATION AND PROPOSED ORDER
GRANTING MOT. TO STAY PENDING TRANSFER
SF01/ 922207.1

CASE NO. CV-05792-RS

1 Northern District of California on the basis of jurisdiction under 28 U.S.C. §§ 1332 & 1441;
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3 WHEREAS, pursuant to 28 U.S.C. § 1407(a), on February 7, 2012, the Judicial Panel on
4 Multidistrict Litigation (“JPML”) issued a Transfer Order centralizing all MDL No. 2325 actions
5 in the Southern District of West Virginia before the Honorable Joseph R. Goodwin, in *In re*
6 *American Medical Systems, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, 844 F. Supp. 2d 1359
7 (J.P.M.L. 2012);

8 WHEREAS, this case involves questions of fact common to those cases pending in MDL
9 2325, and Defendant AMS filed a Notice of Potential Tag-Along Action with the JPML regarding
10 this case, in accordance with the Rules of Procedure of the JPML; and

11 WHEREAS, Defendant has moved this Court to stay all proceedings in this action
12 pending a decision by the United States Judicial Panel on Multidistrict Litigation on the transfer
13 of this action to the Southern District of West Virginia as part of MDL No. 2325 before the
14 Honorable Joseph R. Goodwin. *See* 28 U.S.C. § 1407; Transfer Order, MDL No. 2325, *In re*
15 *American Medical Systems, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, 844 F. Supp. 2d 1359
16 (J.P.M.L. 2012);

17 IT IS THEREFORE STIPULATED, by the parties through their respective counsel, as
18 follows:

19 The Stipulated Motion to Stay All Proceedings Pending Decision on Transfer to MDL No.
20 2325, *In re American Medical Systems, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, is
21 GRANTED. The case is STAYED until further action by this Court or transfer by the United
22 States Judicial Panel on Multidistrict Litigation. The parties are relieved of any pleading,
23 discovery, or other obligation until further notice. The case is administratively closed pending a
24 ruling on such transfer.

25 IT IS SO STIPULATED.
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1 Dated: December 20, 2013

REED SMITH LLP

3 By: /s/ J. David Bickham

4 J. David Bickham

Lynn A. Combs

5 Attorneys for Defendant
6 AMERICAN MEDICAL SYSTEMS, INC.

7 Dated: December 20, 2013

REED SMITH LLP

10 By: /s/ Eric J. Buhr

11 Eric J. Buhr

12 Attorneys for Defendant
13 C.R. BARD, INC.

14 Dated: December 20, 2013

SHOOK HARDY & BACON LLP

16 By: /s/ Brian P. Ziska

17 Brian P. Ziska

18 Attorneys for Defendant
19 BOSTON SCIENTIFIC CORPORATION

20 Dated: December 20, 2013

DRINKER BIDDLE & REATH LLP

22 By: /s/ Michelle A. Childers

23 Michelle A. Childers

Sally F. White

24 Attorneys for Defendant
25 ETHICON, INC.

1 Dated: December 20, 2013

FULBRIGHT & JAWORSKI LLP

2

3

By: /s/ Lesley E. Swanson
Lesley E. Swanson

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Attorneys for Defendant
COLOPLAST CORPORATION

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Dated: December 20, 2013

POLLARD BAILEY

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By: /s/ Dylan F. Pollard
Dylan F. Pollard

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Attorneys for Plaintiffs

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: 1/2, 2014


JUDGE OF THE UNITED STATES
DISTRICT COURT

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